

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI  
NORTHERN DIVISION**

**UNITED STATES OF AMERICA**

**PLAINTIFF**

**VS.**

**CRIMINAL NO. 3:16CR51-HTW-FKB**

**TERESA K. MALONE**

**DEFENDANT**

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**MOTION FOR CONTINUANCE**

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COMES NOW the Defendant, Teresa K. Malone, by and through counsel, moves the Court pursuant to Rule 45 of the Federal Rules of Criminal Procedure for an order continuing the trial, and related pre-trial deadlines, currently scheduled in the above-styled cause, and in support thereof would show unto the Court the following:

1. That the undersigned counsel has just recently been retained to represent the Defendant in this matter.
2. The trial in this cause is currently scheduled for October 3, 2016, in Jackson, Mississippi. This is the first continuance requested by the undersigned counsel.
3. That Counsel for the Defendant requests a continuance in order to receive discovery, complete the inspection of the discovery material, prepare any necessary pretrial motions, and adequately prepare for trial.
4. That Counsel will be unavailable to be prepared for the trial of this matter on October 3, 2016 as Counsel is scheduled to attend hearings and/or meetings in Africa concerning the 1998 U.S. Embassy bombing case throughout the months of August and September, 2016. Therefore, Counsel for the Defendant will not be prepared for the pre-trial deadlines and trial.
5. This motion is filed, not for the purpose of delay, but so that justice may be done.

REQUESTED RELIEF

Based on the grounds set forth above, Defendant, Teresa K. Malone, respectfully requests an Order continuing the trial scheduled in this cause and extending the related pre-trial motion deadlines.

Respectfully submitted, this the 8<sup>th</sup> day of August, 2016.

**TERESA K. MALONE, Defendant**

By: /s/James R. Franks, Jr.  
JAMES R. FRANKS, JR. MSBN 100156  
Counsel for Defendant

OF COUNSEL:

WHEELER & FRANKS LAW FIRM, P.C.  
P.O. Box 681  
Tupelo, MS 38802  
Tel: (662) 842-0380  
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**CERTIFICATE OF SERVICE**

I, James R. Franks, Jr., do hereby certify that I have this day filed via MEC the foregoing ***Motion for Continuance*** which has sent a copy via email to:

Darren J. LaMarca, Esq.  
Office of the U.S. Attorney  
501 E. Court Street, Ste. 4.430  
Jackson, MS 39201-5025

This the 8<sup>th</sup> day of August, 2016.

/s/James R. Franks, Jr.  
JAMES R. FRANKS, JR.